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## DISCUSSION OF WRITTEN CONSTITUTIONS AND SOCIAL CONDITIONS

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**I**T is singular that among the various proposals to reform and improve methods of legislation the adoption, with appropriate alterations, of the republican government plan long in use in Great Britain, her dependencies and other countries, has not been more frequently advocated.

The cause is, seemingly, that our written constitutions in state and nation do not lend themselves readily to insensible, gradual modification, and when they were adopted, responsible government had not so far developed, even in Great Britain, that its true nature was comprehended.

Even at this day, while the parliamentary government of Great Britain is well understood by students of governmental theories, it is not understood by the mass of our population, though such a system has been in use for many years in Canada and its superiority is the boast of all Canadians. We are too prone to assume that responsibility of government to the voters prevails so generally that Americans must have understood and deliberately discarded it. Such is by no means the case.

Scarcely half the countries of Europe enjoy parliamentary government with a responsible ministry. The Norwegians separated from Sweden to obtain it. In Sweden and in Denmark, the voters are still struggling without success to wrest from the crown the right to hold the ministry responsible. Finland enjoyed this right till recently. In Germany, Austria, Russia, and other countries, responsible parliamentary government does not exist.

Except in the United States, however, it is found wherever free government exists; without excepting the United States, it may be said that it is found in every country where government is not frequently a failure, in failing to execute the policies

approved at the polls. Witness the complete breakdown of successive administrations at Washington and in our largest and most important commonwealths. It is not unusual to have the President or governor, with the veto power, at loggerheads with one or both houses of the legislature. As a result, there is little legislation—virtually none—which the people have passed upon at the polls and approved by putting in power that party which promised to enact it. Not only do we see a political party opposed to the executive in control frequently of one or both legislative chambers, but even when one party is in complete control of the government, it has so little sense of its responsibility to carry out its promises, that not infrequently the administration goes to pieces. Moreover, when this occurs, although at the commencement of an administration, the country must patiently await its end before it can change these conditions, and experience has shown that usually it exchanges one mechanism which will not work for another no better.

So intolerable has this become that a President or a governor of strong views and powerful character must declare his own policies and force them on a reluctant legislature under a pressure somewhat similar to the dissolution of parliament where responsible government exists, *viz.*, by a threat to appeal to the people, that is, to attack the legislators in their home districts before and after nomination, if necessary. This is certainly an awkward substitute for responsible government, in which the party and its leaders are held accountable without introducing anything foreign to the scheme of legislative government, such as executive interference which, however necessary, is rightly regarded as tyrannical.

Moreover such a plan is not practicable unless the executive has policies which he is determined to carry out, and the power to make an appeal to the people effective. Under responsible government, such a man becomes the leader of his party—the head of the cabinet when it is in power—and would retain his position so long as he retained popular support. Under the substitute for such responsible government which necessity caused Roosevelt, Hughes and LaFollette to introduce, we are compelled, in order to continue their effective leadership, either

to keep them in executive office indefinitely, or permit them to assume the rôle of political bosses when not in office; or in such an office as United States senator, which has nothing to do with state legislation, to have them dominate state policies by threatening to appeal from the legislators to their constituents. In brief, conditions are so complex, inarticulate and dissociated that this can scarcely be called a legislative mechanism, but merely the triumph of some powerful personality, a triumph achieved despite the want of machinery through which the leader's proposals may be given effect by the voter's approval.

It would be well if responsible government were tried in one of the more advanced states. It would solve our legislative problem if this could be brought about in the near future, so that, for instance, Roosevelt's wonderful qualities of leadership could be utilized to the full and his policies carried into effect if approved by the voters without the necessity that he remain President or that another man as President be compelled to pursue the legislative policy of a party leader out of office. It is a good rule which causes American voters to hesitate to confide the executive power too frequently to one man. But where responsible government exists, the head of the state is virtually powerless, except as an administrator with executive powers only; the legislative power includes the legislative policy of the administration, and all matters that require the consent of the legislature are entrusted to a cabinet, which must hold its confidence and retain its support or retire from office, or else dissolve the legislature and appeal to the people. Under such conditions, liberty is best conserved by continuing a leader in power so long as his leadership exists, instead of jealously guarding against his too long continuance, as is considered necessary if he is at the same time chief executive.

The solution of our governmental problems would be easier, could we keep at the front the strongest, wisest and best men throughout their entire lifetime, like Gladstone in Great Britain, instead of ending their influence upon legislation with their retirement from executive office. We not only waste the powers of our most serviceable citizens, but permit the complete breakdown at times of our legislative system as a means of carrying into effect the policies approved by the voters.